
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Comcast of New Mexico, Inc.)	File No. EB-09-DV-0122
Physical System ID # 007322)	
Albuquerque, New Mexico)	NOV No. V201032800013
)	

NOTICE OF VIOLATION

Released: January 12, 2010

By the District Director, Denver Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Comcast of New Mexico, Inc. ("Comcast"), operator of a cable system in Albuquerque, New Mexico.
2. On December 3, 2009, an agent of the Enforcement Bureau's Denver Office inspected the Comcast cable system located at Albuquerque, New Mexico, and observed the following violation:
 - a. 47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in § 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz – 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, an agent observed signal leakage on the frequency of 121.2625 MHz at the following location:
 - 1) Near 4401 San Andres Avenue, NE 91 µV/m

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Comcast must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Comcast. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

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Denver District Office
215 S. Wadsworth Blvd., Suite 303
Lakewood, CO 80226

4. This Notice shall be sent to Comcast of New Mexico, Inc., at its address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Nikki P. Shears
District Director
Denver District Office
Western Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*